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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,170	01/18/2002	Masahiro Kanda	020066	7598

23850 7590 07/31/2002

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WASHINGTON, DC 20006

EXAMINER

NGUYEN, CHAU N

ART UNIT	PAPER NUMBER
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2831

DATE MAILED: 07/31/2002 4

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application N .

10/050,170

Applicant(s)

KANDA, MASAHIRO

Examiner

Chau N Nguyen

Art Unit

2831

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

## **DETAILED ACTION**

### ***Drawings***

1. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claim 2 is objected to because of the following informalities: in claim 2, line 4, "and/or" should be changed to either --and-- or --or--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iversen (3,816,641) in view of Wada (4,517,332).

Iversen discloses a stopper (14) used in a waterproof connector, the stopper disposed between a covered cable (12) and a connector housing of the waterproof connector, wherein the stopper includes a material that can bond the stopper to a covering layer of the covered cable when the stopper is heated (see the abstract).

Iversen does not specifically disclose the stopper being a rubber stopper. Wada discloses a rubber composition containing an organic rubber as a major constituent and a di-2-ethylhexyl phthalate (col. 3, lines 47-48) (re claims 1 and 2). It would have been obvious to one skilled in the art to use the rubber composition as taught by Wada for the stopper of Iversen since the rubber composition taught by Wada has an excellent non-tackiness such that it can be easily handling during the connection process.

The modified rubber stopper of Iversen also discloses the heating temperature during heating the stopper being higher than the temperature at which the stopper is assembled in the connector, the rubber stopper including a plasticizer soluble mutually with the resin material of the covering layer (re claims 4-6).

5. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iversen in view of Wada as applied to claim 1 above, and further in view of Yoshino (5,519,082).

The combination of Iversen and Wada discloses the invention as claimed except for the rubber including a compound comprising at least one of silyldiyne groups. Yoshino discloses a rubber composition including a compound comprising at least one of silyldiyne groups (see abstract). It would have been obvious to one skilled in the art to use the rubber composition as taught by Yoshino for the stopper of Iversen since the rubber composition of Yoshino is improved in hardness, modulus and tear strength.

6. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iversen in view of Yoshino.

Iversen discloses the invention substantially as claimed except for the stopper being a rubber stopper. Yoshino discloses a rubber composition including a bonding agent which is a straight-chain organosiloxane oligomer. It would have been obvious to one skilled in the art to use the rubber composition as taught by Yoshino for the stopper of Iversen since the rubber composition of Yoshino is improved in hardness, modulus and tear strength.

*Cited Art*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Katsuma, Peters et al. and Nabeshima disclose waterproof connectors having stoppers.

*Communication*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N Nguyen whose telephone number is 308-0693. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (703) 308 3682. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308 3431 for regular communications and (703) 305 1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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Art Unit: 2831

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Chau N Nguyen  
Primary Examiner  
Art Unit 2831

CN  
July 26, 2002